

RICHARD C. BENNETT, ESQ. (State Bar No. 60561)  
ANDREW JOHNSON, ESQ. (State Bar No. 282082)  
**BENNETT & JOHNSON, LLP**  
1901 Harrison Street, Suite 1600  
Oakland, California 94612  
Telephone: (510) 444-5020  
Facsimile: (510) 835-4260  
*andrew@bennettjohnsonlaw.com*  
Attorneys for Plaintiff  
IVANA SALTELLI

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IVANA SALTELLI,  
Plaintiff,

vs.

SAN FRANCISCO MARITIME  
NATIONAL HISTORICAL PARK;  
SAN FRANCISCO MARITIME MUSEUM;  
and DOES 1 through 50, inclusive,  
Defendants,

CASE NO.: 4:20-CV-06136-DMR

**PLAINTIFF'S CASE MANAGEMENT  
STATEMENT**

Plaintiff IVANA SALTELLI, hereby submits this Case Management Statement, as follows:

**1. Jurisdiction & Service:**

This Court has federal question jurisdiction under 28 U.S.C. §1331 AND 28 U.S.C. §1332 and supplemental jurisdiction of any state law claim set forth herein under 28 U.S.C. §1367. Venue of this action lies in this District pursuant to 28 U.S.C. §1391(b), as the Defendants reside in this District and a substantial part of the events or omissions giving rise to

1 this claim occurred in this District.

2 Both Defendants were served with this Complaint and Summons on October 26, 2020.  
3 Proofs of service were filed on November 13, 2020. Defendants' Answers were due on December  
4 24, 2020. For reasons unknown to Plaintiff Defendants have not appeared in this case.

5 **2. Facts:**

6 This is a personal injury lawsuit brought by IVANA SALTELLI an Italian citizen, who  
7 suffered a right ankle fracture while on a tour of the Hercules Tugboat, owned and operated by  
8 Defendants SAN FRANCISCO MARITIME NATIONAL HISTORICAL PARK, SAN  
9 FRANCISCO MARITIME MUSEUM, and DOES 1-20.

10 Plaintiff contends that the Hercules was in a defective and dangerous condition, in that an  
11 unmarked and hazardous "mini-step" caused Plaintiff to fall and break her ankle. Plaintiff's fall  
12 occurred on 10/2/2018. Plaintiff has undergone corrective surgery on her right ankle and will  
13 require additional surgery to remove hardware.

14 **3. Legal Issues:**

15 Plaintiff alleges negligence as it pertains to the Defendants' ownership, maintenance, and  
16 control of the Hercules Tugboat, specifically the "mini-step" which caused Plaintiff's fall. The  
17 only potential legal issue at this time is service upon the Defendants.

18 **4. Motions:**

19 Plaintiff has been forced to make a Request for Default.

20 **5. Amendment of Pleadings:**

21 Plaintiff does not anticipate any amendments to the pleadings at this time but reserves the  
22 right to seek such amendments as allowed by law should discovery of facts deem such  
23 amendment necessary.

24 **6. Evidence Preservation:**

25 Plaintiff has reviewed the Northern District's Guidelines related to Discovery of  
26 Electronically Stored Information. Plaintiff is not aware of any evidence in need of preservation  
27 or any electronically stored Information. Plaintiff will meet and confer with defense counsel  
28

1 further regarding electronic discovery issues.

2 **7. Disclosures:**

3 Plaintiff anticipates making timely initial disclosures pursuant to the requirements of Fed.  
4 R. Civ. P. 26, as soon as a Defendant appears in this action.

5 **8. Discovery:**

6 No formal discovery has taken place to date. Defendants have not yet appeared in this  
7 action.

8 **9. Class Actions:**

9 Not applicable.

10 **10. Related Cases:**

11 None.

12 **11. Relief:**

13 By this Complaint, plaintiff seeks general and special damages, including, but not limited  
14 to the reasonable value of all past and future economic damages for medical expenses,  
15 medications, hospitalizations, therapy, counseling and other related expenses. Plaintiff's past  
16 medical bills total approximately \$95,000.00; past and future economic damages for lost wages,  
17 currently being calculated; past economic incidental damages for travel changes; past and future  
18 non-economic damages for pain and suffering; for costs of suit incurred herein; for pre-judgment  
19 interests according to proof, pursuant to Civil Code §3291; and such other and further relief this  
20 Court deems just and proper and/or is appropriate under the law, and all according to proof at  
21 trial.

22 **12. Settlement and ADR:**

23 Subject to completion of preliminary discovery, the plaintiff is amenable to private  
24 mediation and/or a settlement conference with a Magistrate Judge.

25 **13. Consent to Magistrate Judge for All Purposes:**

26 Plaintiff has consented to the Magistrate Judge.

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**14. Other References:**

Plaintiff does not believe this case is suitable for reference to binding arbitration, special master, or the Judicial Panel on Multidistrict Litigation.

**15. Narrowing of Issues:**

Plaintiff does not believe any narrowing of issues is necessary.

**16. Expedited Trial Procedure:**

This case should proceed in the normal course.

**17. Scheduling:**

Defendants have not yet appeared in this matter. Plaintiff has been forced to file a request for default.

**18. Trial:**

Jury trial with a trial estimate of 4-5 days.

**19. Disclosure of Non-Party Interested Entities or Persons:**

Pursuant to Civil Local Rule 3-16, there are no non-party interested entities or persons.

**20. Professional Conduct:**

Plaintiff's attorney has reviewed the Guidelines for Professional Conduct for the Northern District of California.

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**21. Other Matters:**

Defendants, both Federal Government entities, have not appeared in this matter. Both Defendants were served with this Complaint and Summons on October 26, 2020. Proofs of service were filed on November 13, 2020. Defendants' Answers were due on December 24, 2020. For reasons unknown to Plaintiff Defendants have not appeared in this case.

Plaintiff has filed a Request for Default. Plaintiff also continues to meet and confer with Defendants regarding acceptance of service.

DATED: February 24, 2021

Respectfully submitted,

BENNETT & JOHNSON, LLP

By: /s/  
ANDREW L. JOHNSON  
Attorneys for the Plaintiff